Regional Gang Intelligence Database Memorandum of Understanding

MEMORANDUM OF UNDERSTANDING

BETWEEN

Wisconsin Department of Justice - Division of Criminal Investigation

AND

COOK COUNTY SHERIFF'S OFFICE

THIS MEMORANDUM is made and entered into this 18th day of February, 2014 by and between the COOK COUNTY SHERIFF'S OFFICE (hereinafter "CCSO"), and Wisconsin DOJ - DCI (hereinafter "End User Agency").

WHEREAS, CCSO and End User Agency desire to establish working understanding of the respective roles and mutual responsibilities assigned to and between the End User Agency and the CCSO relative to the operation of the RGID system.

NOW, THEREFORE, IT IS MUTUALLY AGREED AS FOLLOWS:

SECTION 1. PURPOSE.

The purpose of this memorandum is to establish the criteria for participation in the RGID System

SECTION 2. DURATION.

The term of this memorandum shall be from the date of execution until written notice be provided by either party.

SECTION 3. INTELLIGENCE DATABASE.

The End User Agency that is authorized as a source will input into the RGID System. Documents from which information was entered into the database shall be retained in their original form and be available for use as evidence by each local participating agency for court purposes.

SECTION 4. END USER RESPONISIBILITIES.

The End User Agency accepts the minimum standards, as established by the Regional Gang Database Governance Board (RGIDGB) as binding when assessing RGID. End User Agencies shall maintain data in conformance with all applicable laws, rules, and regulations pertaining to the collection, storage, and dissemination of criminal intelligence information to comply with the U.S. Department of Justice Criminal Intelligence Systems Operating Policies, 28 CFR Part 23 (September 16,1993), where applicable, and with the policies and procedures.

Criminal Street Gang Member Submission Criteria

Criminal Street Gang Defined: Any ongoing organization, association, or group of three or more persons whether formal or informal, having as one of its primary activities the commission of one or more of the criminal acts having a common name or common identifying sign or symbol, and whose members individually or collectively engage in or have engaged in a pattern of criminal gang activity.

CRIMINAL GANG MEMBER Submission CRITERIA

In addition to all previously defined submission criteria, in order for a subject to be classified as a criminal gang member, two out of the five of the following criteria must be met. A criminal gang member is someone who:

1. Has admitted membership in a criminal gang, and this was a credible self-admission to a law enforcement officer or agent.
2. Has been identified by an individual of proven reliability as a criminal gang member.

3. Has been arrested in the company of known criminal gang members for offenses which are consistent with criminal gang activity.
4. Possesses tattoos that a trained law enforcement officer or agent has reasonable suspicion to believe signify gang membership.
5. Resides in or frequents a particular criminal gang's area or affects their style of dress, use of hand signs, symbols, or maintains an ongoing relationship with known criminal gang members, and where the law enforcement officer documents reasonable suspicion that the individual is involved in criminal gang-related activity or enterprise.

SECTION 5. SECURITY.

Use of the system is limited to law enforcement and non-sworn personnel who have been subject to security clearance by the parent law enforcement agency.

SECTION 6. DATA DISSEMINATION.

Recipient of information must have a need to know and right to know in performance of a law enforcement function.

SECTION 7. REVIEW/PURGE.

Information will be maintained in the RGID System for 5 years from the date of the last contact that meets compliance with submission criteria. Information not validated within that period will be purged from the system. A record which is deemed to have been entered in error either through challenge or by improper validation, shall immediately be brought to the attention of the RGID Administrator for purging.

SECTION 8. UNAUTHORIZED DISCLOSURE.

Users of the RGID System are prohibited from unauthorized disclosure of any and all data, training materials, operation manuals, user guides and user manuals. Users who receive requests for information concerning the RGID System or data stored within the system, under the Public Records Act, must notify the RGIDGB to provide information regarding the nature and extent of the request.

SECTION 9. SANCTIONS.

The Regional Gang Intelligence Database Governance Board is responsible for overseeing system discipline and conformity with rules, regulations and operating systems. Violations of any laws, rules, regulations, or operating procedures by RGID system users may result in any of the following sanctions:

- Letter of censure
- Suspension of service: This may be for varying lengths of time and/or may include suspension for specified database or system services.
- Removal of service/disconnection from system.

IN WITNESS WHEREOF, the parties hereto caused this Participation Agreement to be executed by the proper officers and officials:

Signature:_____	Signature:_____
Printed Name: Tom Dart_____	Printed Name: David A. Matthews_____
Title: Cook County Sheriff_____	Title: Administrator_____
Department: Cook County Sheriff's Office	Department: Wisconsin DOJ -_____